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17 Attorneys for Defendant
18 Ordway Indemnity, Ltd.

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA

22 EMPLOYERS REINSURANCE CORPORATION) No. C 09-01610 SBA
23 N/K/A WESTPORT INSURANCE)
CORPORATION)
24 Plaintiff,) STIPULATION AND ORDER FOR
) MODIFICATION OF INITIAL
) DISCLOSURE DATES
25 v.)
26 ORDWAY INDEMNITY, LTD.,)
27 Defendant.)

1 IT IS HEREBY STIPULATED, by and between Plaintiff Employers Reinsurance
2 Corporation n/k/a Westport Insurance Corporation (“ERC”) and Defendant Ordway Indemnity,
3 Ltd. (“Ordway”) as follows:

4 WHEREAS, Ordway has agreed to cooperate in an informal exchange of information
5 concerning the underlying claims referenced in the Complaint for Declaratory Judgment;

6 WHEREAS, the parties are engaged in discussions regarding the scope and time table for
7 this informal collection and exchange of information that may otherwise be included in the initial
8 disclosures required by rule 26 of the Fed. Rules of Civ. Pro. and wish to avoid for the time being
9 the need to prepare a formal response that would otherwise be required;

10 WHEREAS, the parties are engaged in discussions concerning ADR but need additional
11 time to resolve issues regarding the timing and selection of the most useful ADR method for
12 possible resolution of issues referenced in the Complaint for Declaratory Judgment; and

13 WHEREAS, the parties have stipulated to extend the response date to the Complaint until
14 September 11, 2009.

15 THEREFORE, ERC and Ordway hereby stipulate and agree that: (1) the deadline to file
16 the ADR Certification signed by parties and counsel shall be extended from July 2, 2009 to
17 September 2, 2009; (2) the deadline to file a Stipulation to ADR Process or Notice of need for
18 ADR Phone Conference shall be extended from July 2, 2009 to September 2, 2009; (3) the
19 deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and
20 discovery plan shall be extended from July 2, 2009 to September 2, 2009; and (4) the deadline to

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1 file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file
2 Case Management Statement be extended from July 16, 2009 to September 9, 2009.

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4 SO STIPULATED:

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6 DATED: June __, 2009. DLA PIPER LLP

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8 By: _____
Margaret L. Parker

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10 Attorneys for Plaintiff
EMPLOYERS REINSURANCE
CORPORATION N/K/A WESTPORT
INSURANCE CORPORATION

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12 SO STIPULATED:

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DATED: June __, 2009. MARION'S INN

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15 By: _____
Thomas M. Freeman

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17 Attorneys for Defendant
ORDWAY INDEMNITY, LTD.

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GOOD CAUSE APPEARING, IT IS SO ORDERED.

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DATED: 7/13/09

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By: _____
Hon. Saundra Brown Armstrong

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Judge Of the United States District Court

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